THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.17574 OF 2005

DATED: 09-08-2005

BETWEEN;

Moga Latchaiah son of Bhoomaiah and another

..PETITIONERS

VS.

The District Collector, Nizamabad and three others.

..RESPONDENTS

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.17574 OF 2005

ORAL ORDER

The writ petition is misconceived. The complaint of the petitioners, who are ryots of Lingampet village and Mandal, Nizamabad District and own dry lands in the village, is that as they have no proper water source, they submitted a representation to the District Collector to provide a channel to the lands from the adjacent canal namely "Nala Mathadi Canal". After an eventual consultative process, by an order dated 30-

05-2002, the 1st respondent sanctioned the work for excavation of an irrigation channel under the “Neeru-Meeru” programme. After some further process, the work was entrusted to a Contractor by an agreement dated 25-11-2002 in which a time frame was fixed. According to the petitioners, 95% of the work was executed and the respondents are not acting expeditiously to ensure competition of the balance work so as to ensure a regular water source to the petitioners.

In substance, the petitioners are complaining of inefficient executive performance, a matter normatively not within the jurisdiction of this Court, having regard to the separate and divided powers under our constitutional scheme. There are no merits. The writ petition is dismissed. The petitioners are at liberty to make appropriate representations. No order as to costs.

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GODA RAGHURAM,J

9TH AU0GUST,2005

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